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ADMITTED IN NEW YORK, VIRGINIA
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February 27, 2018

By ECF

The Honorable Joseph F. Bianco
United States District Judge
Eastern District of New York
Federal Plaza
Central Islip, New York

*Re: United States v. Omar Antonio Villalta
Criminal Case No. 16-403 (JFB)*

Dear Judge Bianco:

On behalf of Omar Antonio Villalta in the above-referenced case, I write to advise the Court that am I unable to attend the status conference scheduled for tomorrow, February 28, 2018, but that Avi Moskowitz, Esq., attorney for co-defendant Alexis Hernandez, has graciously agreed to stand in for me on behalf of Mr. Villalta. I met with Mr. Villalta this morning, and he consents to Mr. Moskowitz standing in for me tomorrow for this limited purpose.

The reason for my unavailability is that I have a sentencing submission firmly due the day after the conference in *United States v. Abdulrahman El-Bahnasawy*, 16 CR 376 (SDNY) (RMB), an unusually difficult and complicated case. In sum, Mr. El-Bahnasawy is a Canadian teenager who pled guilty to providing material support to terrorists, has a pre-arrest history of in-patient psychiatric and addiction treatment from three countries, has been evaluated by multiple medical professionals since his arrest, and is represented by two independent teams of lawyers (the result of Judge Berman's way of resolving a motion to substitute counsel). Given my ongoing challenge of attempting to coordinate so many moving pieces before Thursday, I am unable to devote the five or seven or so hours it typically takes for the roundtrip to Central Islip with the sentencing submission due the following day.

I have also discussed the operation of the Speedy Trial Act with Mr. Villalta, and he consents to an exclusion of time until the next court date. I join in the scheduling going forward as the parties will propose tomorrow.

Respectfully submitted,

/s/

Andrew J. Frisch

cc: AUSA John Durham